



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Hedy L. Chang, Vice-Chair
Larry Carr, Agency
Greg Sellers, Agency Member
Steve Tate, Agency Member

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Hedy Chang, Mayor Pro Tempore
Larry Carr, Council Member
Greg Sellers, Council Member
Steve Tate, Council Member

WEDNESDAY, JUNE 25, 2003

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR MEETING

and

CITY COUNCIL SPECIAL MEETING

6:00 P.M.

***A Special Redevelopment Agency and Special City Council Meeting Is
Called At 6:00 P.M. for the Purpose of Conducting Closed Sessions and
City Business.***

Dennis Kennedy, Mayor

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/City Clerk Torrez)

6:00 P.M.

Redevelopment Agency Action and City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

2.

CONFERENCE WITH LABOR NEGOTIATOR:

Authority: Government Code Section 54957.6

Agency Negotiators: Ed Tewes, City Manager; Helene L. Leichter, City Attorney; Mary Kaye Fisher, Human Resources Director

Employee Organization: AFSCME Local 101
Morgan Hill Community Service Officers Association
Morgan Hill Police Officers Association

Unrepresented Employees: Custodian/Building Maintenance Worker
Government Access Technician
Maintenance Worker Assistant
Utility Worker Assistant

Executive Management Group 1-A

Chief of Police
Director of Business Assistance & Housing Services
Director of Community Development
Director of Finance
Director of Public Works/City Engineer
Human Resources Director
Recreation and Community Services Manager
Assistant to the city Manager
Council Services and Records Manager

Middle Management Group 1-B

Police Captain
Deputy Director of Public Works
Assistant City Attorney
Assistant Director of Finance
Chief Building Official
Human Resources Supervisor
Planning Manager
Senior Civil Engineer
Budget Manager
Business Assistance and Housing Services Manager
Police Support Services Supervisor
Senior Planner
Project Manager

Utility Systems Manager
Recreation Supervisor
Secretary to the City Manager

Confidential Non-Exempt Employees Group 1-C
Administrative Analyst
Secretary to the City Attorney
Accounting Technician
Human Resources Assistant

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITION

Mayor Roselli – San Casciano, Italy
Sister Cities Committee

Joyce Maskell
Community Playhouse Project

CITY COUNCIL SUBCOMMITTEE REPORTS

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

Redevelopment Agency Action

CONSENT CALENDAR:

- ITEM 1** The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **MORGAN HILL DOWNTOWN ASSOCIATION (MHDA) AGREEMENT** 1
Recommended Action(s): Authorize the Executive Director to Negotiate and Execute an Agreement with the Morgan Hill Downtown Association (MHDA) in an Amount Not to Exceed \$80,000, Subject to Agency General Counsel Approval.

City Council Action

CONSENT CALENDAR:

ITEMS 2 - 13

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

2. **MAY 2003 FINANCE AND INVESTMENT REPORT** 11
Recommended Action(s): Accept and File Report.
3. **AWARD CONTRACT TO PROVIDE PUBLIC WORKS PLAN CHECKING SERVICES ON AN AS-NEEDED BASIS** 21
Recommended Action(s):
1. Approve a Professional Contract with Harris and Associates, Inc. to Provide Land Development Plan Checking Services on an As-Needed Basis at a Cost Not-to-Exceed of \$100,000 for Fiscal Year 2003-2004; and
2. Authorize the City Manager to Execute the Contract, Subject to Review and Approval by the City Attorney.
4. **AWARD OF CONTRACT TO PROVIDE PUBLIC WORKS INSPECTIONS ON AN AS-NEEDED BASIS** 23
Recommended Action(s):
1. Approve a Professional Services Contract with Testing Engineers, Inc. (TEI) to Provide Public Works Inspection Services on an As-Needed Basis at a Cost Not to Exceed \$127,000 for Fiscal Year 2003-2004; and
2. Authorize the City Manager to Execute the Contract, Subject to Review and Approval from the City Attorney.
5. **COMMUNITY INDOOR RECREATION CENTER APPROVAL OF SUBCOMMITTEE APPOINTMENTS** 25
Recommended Action(s): Approve Subcommittee Appointments.

CONSENT CALENDAR:

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
6.	<u>APPROVE LEASE FOR WOODLAND ESTATES</u> 27 <u>Recommended Action(s):</u> 1. <u>Approve</u> Lease Agreement; and 2. <u>Authorize</u> the City Manager to Execute the Lease of City-owned Open Space Adjacent to Llagas Creek with Woodland Estates for the Fee of \$1.00 Per Year.	
7.	<u>AWARD OF CONTRACT FOR 2002-2003 PAVEMENT RESURFACING PROJECT</u> 35 <u>Recommended Action(s):</u> 1. <u>Award</u> Contract to O'Grady Paving, Inc. in the Amount of \$788,982 for Construction of the 2002-2003 Street Resurfacing and Reconstruction Project; and 2. <u>Authorize</u> a \$78,898 (10%) Construction Contingency.	
8.	<u>COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE AGREEMENT</u> 39 <u>Recommended Action(s):</u> <u>Direct</u> Staff to Execute the Agreement with the County.	
9.	<u>PUBLIC WORKS MAINTENANCE AGREEMENTS FOR FISCAL YEAR 2003-2004</u> 53 <u>Recommended Action(s):</u> Contingent upon Approval of the Fiscal Year 2003-2004 Budget: 1. <u>Approve</u> New Maintenance Agreements for a) Emergency Pump Maintenance and Repair for Booster Stations b) Generator Maintenance Services; and c) Emergency Repairs, Maintenance, and Parts for Well Sites; 2. <u>Approve</u> One Year Extensions to Agreements for a) Laboratory Services for Potable Water Sampling and Analysis b) Landscape Maintenance Services; and c) Annual Tree Pruning and Removal; 3. <u>Authorize</u> the City Manager to Execute the Agreements/Extensions on Behalf of the City, Subject to Review and Approval of City Attorney.	
10.	<u>APPROVAL OF PROFESSIONAL SERVICES CONTRACT FOR SEWER TRUNK SURVEYING</u> 121 <u>Recommended Action(s):</u> <u>Authorize</u> the City Manager to Execute a Contract in the Amount of \$38,000 with Bagoye & King Surveying for a Preliminary Survey of the Proposed Sewer Trunk Alignment, Subject to Review and Approval by the City Attorney.	
11.	<u>APPROVAL OF CONTRACT/FUNDING FOR CONTRACT TEMPORARY ENGINEERING SERVICES</u> 125 <u>Recommended Action(s):</u> <u>Approve</u> the Contract and Funding for Two Temporary Full-time, and One Part-time Contract Engineers.	
12.	<u>ACCEPTANCE OF STATE HIGHWAY 101 AT TENNANT AVENUE NORTHBOUND RAMPS SIGNAL PROJECT</u> 131 <u>Recommended Action(s):</u> 1. <u>Accept</u> as Complete the State Highway 101 at Tennant Avenue Northbound Ramps Project in the Final Amount of \$206,152; and 2. <u>Direct</u> the City Clerk to File the Notice of Completion with the County Recorder's Office.	
13.	<u>APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF JUNE 12, 2003</u> 135	

Redevelopment Agency and City Council Action

CONSENT CALENDAR:

ITEMS 14 - 15

	Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes		
14.		<u>MORGAN HILL COURTHOUSE ENVIRONMENTAL IMPACT REPORT</u>	137
		<u>Recommended Action(s): Adopt</u> Resolution No. 5687, Considering the Environmental Impact Report, Making Required CEQA Findings, and Adopting a Mitigation Monitoring and Reporting Program for the Morgan Hill Courthouse Project.	
15.		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 11, 2003</u>	167

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
16.	20 Minutes	<u>DISCUSSION OF PHASING FOR COMMERCIAL PLANNED UNIT DEVELOPMENT (PUD)</u> (Continued from June 18, 2003).....	177
		<u>Recommended Action(s): Discuss</u> and <u>Give Direction</u> Regarding the Phasing of Development Within PUD Zones.	
17.	10 Minutes	<u>APPROVAL OF TRUNK SEWER FUNDING IN GILROY AT NEW TARGET DEVELOPMENT</u>	195
		<u>Recommended Action(s):</u>	
		1. <u>Authorize</u> Maximum Expenditure of \$400,000 from Unappropriated Sewer Impact Fee Fund Balance for this Co-op Project with the City of Gilroy; and	
		2. <u>Approve</u> the Concept of a Cost Sharing Agreement and <u>Authorize</u> the City Manager to Execute, Subject to Review and Approval by City Attorney.	

Redevelopment Agency and City Council Action

OTHER BUSINESS:

	Time Estimate		Page
18.	10 Minutes	<u>UTILITY UNDERGROUNDING FOR THE ISAACSON GRANARY</u> (Continued from June 18, 2003)	201
		<u>Recommended Action(s): Direct</u> Staff to Work with the Council Economic Development Subcommittee to Develop a Program to Assist Developments with Either the Payment of Utility Undergrounding In-Lieu Fees and/or the Installation of the Utility Undergrounding.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT